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September 4, 2012

By Fax: (212) 805-7930Hon. James C. Francis
United States District Court
Southern District New York
500 Pearl Street
New York, New York 10007

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #
DATE FILED: 9/6/12

Re: Mark Nunez et al. v. City of New York et al.
Docket Number: 11 CV 5845 (LTS) (JCF)

Your Honor:

We represent individual correction officer defendant Jason Soto in this § 1983 inmate lawsuit. We write to request an enlargement of time to file answers on his behalf. At the time of sending this letter, we were unable to reach counsel for the City of New York and counsel for plaintiff for their consent to this request. This is our first request for an enlargement of time.

On August 17, 2012, we received a copy of a letter dated August 17, 2012, from Assistant Corporation Counsel Diep Nguyen, Esq., which was addressed to each above referenced defendant at his/her work address. The letter informed each defendant that (1) the Office of the Corporation Counsel is unable to represent him in this action; and (2) he must answer the complaint in this action "within the next thirty (30) days." Upon our receipt, we immediately sent a letter to the defendant at his last known home address requesting that he contact the undersigned to discuss representation by this firm.

We have recently been advised by the defendant that he wishes to be represented by our firm. However, since we have not yet had an opportunity to meet with the defendant, we would like additional time to do so and to investigate the allegations contained in the complaint. As such, we respectfully request an

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enlargement of time until October 5, 2012 to respond to this action. We thank you for your consideration of this request.

Sincerely,

KOEHLER & ISAACS LLP

By:

Julie Pearlman Schatz, Esq. (JS 6474)

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9/6/12

Defendant's time
to respond to the
complaint is extended
to September 28, 2012.

SO ORDERED.

James C. Francis IV
VCMJ

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